

1 of the property by the responsible party, which is
2 the U.S. government, and then the disposal to
3 public bodies for uses eligible for public benefit
4 discount conveyance, which is at less than market
5 value, which are the -- is listed on Exhibit 1-2,
6 which is De Soto and the County and the other local
7 interests and the Indian tribe.

8 The third alternative should have been
9 the disposal of individual parcels to one or more
10 entities over a period of time while the cleanup
11 was going on. And the fourth was the preferred
12 disposal alternative that was selected by the GSA,
13 which is to hand it over to the State of Kansas who
14 is to negotiate the sale.

15 I won't go through all the details here,
16 but the reason that there should have been an
17 alternative which involves the immediate cleanup by
18 the U.S. government is because they are the
19 responsible party and it doesn't matter that the
20 U.S. Army has made some sort of bureaucratic
21 decision to give this project a low priority. They
22 could just as easily reverse that decision and it
23 doesn't matter that that decision is outside the
24 jurisdiction of the GSA. They're still supposed to
25 determine what the impacts are. Those impacts

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1 would be much less, in my opinion, both
2 environmentally and economically.

3 The reason this EA is not objective is
4 because the General Services Administration is
5 laboring under an inherent conflict of interest.
6 The responsible party is the U.S. government. They
7 are responsible for paying for the cleanup and they
8 stand to gain hundreds of millions of dollars in
9 this transaction by not having to clean it up. So
10 the decision, then, as to which is the preferred
11 alternative is being put into the hands of another
12 U.S. government agency, which is GSA. That's why
13 this is not, in my opinion, a conflict of
14 interest.

15 The lack of substantial treatment, which
16 means the following items were not sufficiently
17 discussed. Water rights. There is a major water
18 right that add up to 28,000 acre-feet a year, which
19 is the equivalent usage of 250,000 people. These
20 water rights are going to be transferred presumably
21 to somebody, to the State of Kansas, and then they
22 can be subdivided and transferred to private
23 developers and others.

24 You need to be aware that these are very
25 senior rights, No. 37 and 38, out of 45,000 rights

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1 in the state of Kansas. Which means in a period of
2 extreme drought, when there is not much flow in
3 that river, then whoever holds these rights is
4 going to have first call on that water. And,
5 believe me, this is going to happen one of these
6 days.

7 Furthermore, these water rights, it's not
8 legal to transfer this property to the State of
9 Kansas, except at an appraised market value. There
10 is no information provided in this Environmental
11 Assessment as to what the price of the transaction
12 to the State of Kansas is or what the market value
13 is. In my opinion, an extensive study of the value
14 of these water rights needs to be done in addition
15 to the normal appraised value of the property
16 before any reviewer like myself or anyone else can
17 determine whether this is a legal transaction.
18 This item in itself is enough, I think, to cause
19 this EA to be thrown out.

20 I have included in here, and I won't go
21 through it, a method by which you could contact the
22 water office, Kansas water office, and determine
23 the future scenario of extreme drought and the
24 types of costs that are going to occur. For
25 example, there will be insufficient dilution water

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1 for all the sewage plants that are downstream.
2 These Sunflower water rights are upstream and
3 upgradient of these other users, which means they
4 have first call on that water and they can take it
5 and there won't be enough -- possibly won't be
6 enough downstream, which means that would cause
7 your sewage plants to violate their permits because
8 there is not enough dilution water to prevent the
9 destruction of aquatic life. There is a very --
10 there's a strong need here for a deep analysis of
11 that issue.

12 The other major error in this report is
13 the way the air quality impacts were determined.
14 As other speakers have talked about, this is a
15 sprawl-inducing plan, not only the Oz part of it,
16 but the conceptual plan that they've talked about
17 over the next 40 years. There will be very -- a
18 much increased emission of automobile emissions,
19 precursors to ozone, and the error that was made in
20 here is that the engineers only took into account
21 the air quality of Johnson County. There is no
22 ozone monitor in Johnson County. It wouldn't
23 matter anyway because under the regulatory
24 authority in this region, it doesn't matter. You
25 have to take into account the regional impacts of

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